

Torrance, California.
July 24, 1928.

MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE CITY COUNCIL OF
THE CITY OF TORRANCE.

An adjourned, regular meeting of the City Council of the City of Torrance was held in the Council Chambers at Torrance, California, July 24, 1928, and was called to order by Mayor Dennis at 7:45 P. M. The following Trustees were present: Inman, Maxwell, and Dennis. Absent: Raymond and Wolfe.

The minutes of the regular meeting of July 3, 1928, were read and approved as read.
The minutes of the regular meeting of July 17, 1928, were read and approved as read.

The letter from the Columbia Steel Corp. dated July 14, 1928, regarding street lights, was ordered filed.

The letter from the Los Angeles Chamber of Commerce, dated July 21, 1928, regarding an ordinance for safety in the flying of airplanes was ordered filed.

Trustee Wolfe took his chair at the Council table at 8:00 P.M.

The letter from the So. Cal. Edison Co. dated June 19, 1928, regarding the delegation of the issuance of excavation permits to the City Engineer, was laid over until the next meeting.

The second letter from the So. Cal. Edison Co. dated June 30, 1928, in re the installation of three vaults for street lighting purposes, was referred to the City Attorney.

The letter from the American Legion Post No. 170, thanking the Board for past favors and dated July 23, 1928, was to be answered by the Clerk.

The Shell Co. of Cal., through their attorneys, made application for a pipe line franchise. The letter was dated July 13th and a blue print was enclosed. Action was taken later in the meeting.

Geo. Christo made application for a permit to peddle ice cream from a wagon.

Trustee Maxwell moved that the Clerk issue a license at the regular fee. Trustee Wolfe seconded the motion, which was duly carried.

Los Angeles County submitted a lease and agreement covering the lease on the Library building for the next two years.

Trustee Maxwell moved that the Mayor be authorized to execute said lease. Trustee Wolfe seconded the motion, which was duly carried by the following roll call vote:

AYES: Trustees: Inman, Maxwell, Wolfe and Dennis.
 NOES: " None.
 ABSENT: " Raymond.

A map of Tract No. 10303 was presented to the Board for approval. Engineer Leonard recommended approval of same.

Attorney Briney read:

RESOLUTION NO. 363

BE IT RESOLVED by the Council of the City of Torrance that the map of Tract No. 10303, consisting of four sheets, this day presented by W. N. Evans, be and the the same is hereby approved.

Trustee Inman moved that Resolution No. 363 be adopted as read, and same filed in the office of the City Clerk. Trustee Wolfe seconded the motion, which was duly carried by the following roll call vote:

AYES: Trustees: Inman, Maxwell, Wolfe and Dennis.
 NOES: " None.
 ABSENT: " Raymond.

Mr. J. E. Burney, 1736-A Lewis Ave., Long Beach, personally requested the Board to rezone or work out a way so that the property owned by him on Artisano Ave. might be built up with residences as there seemed no prospect of ever being able to locate industries on the same, and asked that the Clerk communicate with him as soon as any action had been taken.

Mr. Walker requested a permit to build a corrugated iron auto wash shed against the Mullin & Son garage.

Trustee Wolfe moved that same be referred to the Engineer for investigation and report later. Trustee Maxwell seconded the motion, which was duly carried.

Mr. Morford's request that he be allowed to stand his transfer outfit in front of Mr. Worrell's store was granted on motion of Trustee Wolfe, seconded by Trustee Inman, and a majority vote.

Trustee Maxwell moved that the action heretofore taken by the Board as to the appointment of a 7 member committee to act in the street lighting proposition be rescinded.

Trustee Wolfe seconded the motion, which was duly carried by the following roll call vote:

AYES: Trustees: Maxwell, Wolfe and Dennis.
 NOES: " Inman.
 ABSENT: " Raymond.

Trustee Wolfe moved that all bids received for a model D tractor be rejected and the Clerk instructed to advertise for an Alwatrac Tractor.

Trustee Maxwell seconded the motion, which was duly carried by the following roll call vote:

AYES: Trustees: Inman, Maxwell, Wolfe and Dennis.
 NOES: " None.
 ABSENT: " Raymond.

The lighting question was discussed again.

Trustee Maxwell moved that the report of the Engineer be accepted and approved and a Resolution of Intention be prepared to initiate proceedings to install the King pole.

There was no second to the motion.

Trustee Wolfe stated that he had always favored the Westinghouse pole because we are getting more for our money. The committee had spent four or five weeks investigating and they deserve consideration for it. If the King was a western product I would vote for it, but we now have an opportunity to keep this work here where we need it.

The Mayor had not changed his mind about the King pole, stating that there was a difference of \$12000.00 in the beginning; that he had talked with Mr. Jones, who had assured him that their pole was worth the difference; that he was not a good judge of poles but did a good deal of investigating in different cities when Mr. Lennard was along, and he could not see the \$12000.00 difference. Believes the Westinghouse is not entitled to consideration on their last bid but even if it was considered there is still a difference of \$2600.00 which I cannot see.

Trustee Inman did not favor any particular pole, but it seemed only fair to him that the people should give expression as to what they want; if they wanted to buy a wooden pole he was with them; he thought this matter should be put before the people in such a manner that they can decide what they want and that is what they will get as far as I am concerned.

Regarding the club license requested by the Chicken Inn, the proprietor was asked to attend the next meeting of the Board and state just what he wanted.

A recess of 10 minutes was declared.

After the recess, Attorney Briney reported on the application for license to operate an open air auto market as requested by Mr. Smith.

I have been asked for an opinion as to whether or not the City Council can lawfully refuse a business license to operate an open air second hand auto market on Lot 32, Tract 1684, owned or controlled by J.C. Smith.

It is my opinion the only authority the Board would have in refusing such a license would be the zoning ordinance No. 51, which places this particular lot in Class 5, in which Class the property may be used for any purpose for which property in Classes 1,2,3,4 may be used, or for undertaking parlor, public garage, gasoline or oil supply station, feed, fuel or construction material business, dyeing or dry cleaning establishment, or any wholesale business, which special classes do not cover the business under discussion.

Classes 1 and 2 are for residences only. Class 3 is for professional offices, retail stores, trades or theaters with the provision that light manufacturing may be carried on and providing also that no offensive businesses may be carried on. I cannot see how it is possible to bring this particular business under any of these classes unless, perhaps, it may be called a retail store, but the probability of this is I believe negligible.

I am convinced that a retail store consists of four walls and a roof, with a stock of personal property therein which is offered for sale to the public. Anything outside is called an open air market. Certainly in this part of the country you would not call a store a trade. The word trade is used to distinguish a trade from any other kind of business. A retail store would not cover the business of the plumbing trade. An open air market could not be classified as a store or trade. If the matter came before a court to interpret the meaning of those words, the judge might differ with me; and this Board has authority to interpret the meaning of these words differently from the way I have.

It is my opinion that an open air market does not come under any classification of business that may be carried on in that district.

Class 4 provides for buildings used as assembly halls, churches or private schools--outside of residences, so this class need not be considered.

It is my opinion that the Board has authority to refuse a business license to operate an open air market on that lot.

The brief by Mr. Jensen did not cover the zoning of that lot. It just raised the question of whether the Board could arbitrarily say to one man you can't and to another you can engage in business.

Trustee Wolfe moved that a permit be issued to operate an open air auto market on above mentioned lot. Trustee Inman seconded the motion, which failed to carry by the following vote:

AYES: Trustees: Inman and Wolfe.
 NOES: " Maxwell and Dennis.
 ABSENT: " Raymond.

Attorney Briney read:

RESOLUTION OF INTENTION NO. 364
 TO GRANT FRANCHISE TO SHELL CO. OF CALIF.

Trustee Inman moved that Resolution of Intention No. 364 be adopted as read and same filed in the office of the City Clerk.

Trustee Maxwell seconded the motion, which was duly carried by the following roll call vote:

AYES: Trustees: Inman, Maxwell, Wolfe and Dennis.
 NOES: " None.
 ABSENT: " Raymond.

Trustee Wolfe moved that all bills, properly audited, be paid. Trustee Inman seconded the motion, which was duly carried by the following roll call vote:

AYES: Trustees: Inman, Maxwell, Wolfe and Dennis.
 NOES: " None.
 ABSENT: " Raymond.

At 11:00 P.M. Trustee Inman moved to adjourn. Trustee Maxwell seconded the motion, which was duly carried.

A. H. Bantlett
 City Clerk of the City of Torrance.

Approved:

John Dennis
 Mayor of the City of Torrance.